

IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:	}	Case No. 3:15-bk-00379
RENE EDGARDO COTO-LAZO	}	
2635 EDGE O LAKE DR	}	Chapter 13
Nashville, TN 37217	}	
SSN: xxx-xx-4044	}	Judge Marian F. Harrison
	}	
Debtor	}	

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: April 23, 2015
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: May 6, 2015 at 8:30 a.m. in Courtroom
One, Second Floor, 701 Broadway, The Customs House, Nashville, TN 37203

NOTICE OF MOTION TO MODIFY CHAPTER 13 PLAN

The Debtor has asked the Court for the following relief: permission to modify Chapter 13 plan.
YOUR RIGHTS MAY BE AFFECTED.

If you do not want the court to grant the attached motion, or if you want the court to consider your views on the motion, then on or before April 23, 2015, you or your attorney must:

1. File with the court your written response or objection explaining your position at:

By Mail: U.S. Bankruptcy Court, 701 Broadway, Room 170, Nashville, TN 37203
In Person: U.S. Bankruptcy Court, 701 Broadway, Room 170, Nashville, TN 37203
(Monday- Friday, 8:00 a.m. – 4:00 p.m.)

2. Your responses must state that the deadline for filing responses: **April 23, 2015**, the date of the scheduled hearing is: **May 6, 2015** and the motion to which you are responding is: MOTION TO MODIFY CHAPTER 13 PLAN.

If you want a file stamped copy returned, you must include an extra copy and a self-addressed, stamped envelope.

3. You must also mail a copy of your response to:

James A. Flexer, 176 2nd Avenue North, Suite 501, Nashville, TN 37201, and see Certificate of Service for additional parties to serve (attached hereto)

If a timely response is filed, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584 or viewing the case on the Court's web site at www.tnmb.uscourts.gov. If you received this notice by mail, you may have three additional days in which to file a timely response under Rule 9006(f) of the Federal Rules of Bankruptcy Procedure.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting relief.

Date: 4/2/15

Signature: /s/ James A. Flexer

Name: Law Offices of James A. Flexer

Address: 176 2nd Avenue North, Suite 501, Nashville, TN 37201

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FOR THE MIDDLE DISTRICT OF TENNESSEE

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Debtor	}	

MOTION TO MODIFY CHAPTER 13 PLAN

COMES NOW the Debtor, by and through counsel, and would move this Honorable Court for permission to modify the Chapter 13 plan pursuant to 11 U.S.C. § 1323.

The Debtor's Chapter 13 proceeding was filed on January 21, 2015, with a plan proposing to pay a dividend of 1% interest to unsecured creditors.

As grounds, the Debtor would state the following:

1. The Debtor seeks permission to modify his Chapter 13 plan because the Debtor is now separated, has had changes in his budget, and is now working two jobs.
2. The Debtor's Chapter 13 plan allows such modification and will allow the Debtor to successfully complete his Chapter 13 plan and reorganize his estate.
3. The dividend to general unsecured creditors shall remain 1% and the Debtor will surrender future tax refunds.
4. Attached is an amended family budget along with a certification of the Debtor.

STATEMENT OF IMPACT

5. The Debtor's Chapter 13 plan payment shall increase to \$1,026.00 bi-weekly, with \$513.00 bi-weekly being deducted from each job.
6. The first payroll deduction shall issue to the following:
Vanderbilt
3319 West End Avenue, Suite 450
Nashville, TN 37203
7. A second payroll deduction shall issue to the following:
Compass Group North America
Attn: Payroll
2400 Yorkmont Road
Charlotte, NC 28217

8. The dividend to general unsecured creditors shall remain at 1% and the Debtor will surrender future tax refunds.
9. The new base shall be \$133,380.00, increased by future tax refunds.
10. The unsecured pool shall be zero.
11. There shall be no change in treatment to other secured creditors.
12. No other terms of the confirmation order shall be affected by this modification.

Respectfully submitted,

/s/ James A. Flexer
James A. Flexer, BPR #9447
Attorney for Debtor
Law Offices of James A. Flexer
176 2nd Avenue North, Suite 501
Nashville, TN 37201
(615) 255-2893
fax: (615) 242 8849
cm-ecf@jamesflexerconsumerlaw.com

IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

Coto-Lazo, Rene

CASE NO:
CHAPTER 13
JUDGE

15-00379

Marian F. Harrison

	OLD	NEW	INCOME	OLD	NEW
Date of Budget					
Rent/Mortgage Payment			Debtor's net pay	\$3,585.00	\$3,557.00
UTILITIES			Spouse's net pay		
Electric	\$150.00	\$150.00	Regular Other		
Water	\$60.00	\$60.00	Income		
Heat	\$100.00	\$100.00	Support/Alimony		
Telephone	\$45.00	\$45.00	Pension/SS/VA		
Trash			Misc. Income		
Cable	\$80.00	\$80.00	TOTAL INCOME	\$3,585.00	\$3,557.00
Total Utilities	\$435.00	\$435.00	Total Expenses	\$1,732.00	\$1,332.00
Food	\$300.00	\$300.00	Plan Payment	\$1,853.00	\$2,225.00
Clothing			Total Expenses		
Laundry and Dry Cleaning	\$50.00	\$50.00	plus Plan Payment	\$3,585.00	\$3,557.00
Newspapers, Books, etc.	\$22.00	\$22.00			
Medical and Dental	\$50.00	\$50.00	Difference:	\$0.00	\$0.00
Transportation	\$300.00	\$300.00			
INSURANCE			DEPENDANTS	0	0
Auto					
Life					
Home					
Renters					
Other			Statement of Impact		
Property taxes			Duration of Plan	60	60
Health Insurance			Dividend to U/S	1%	1%
Total Insurance	\$0.00	\$0.00			
Taxes (not deducted from wages)			Change in treatment		
Child support			to Secured Creditors		NONE
Home Maintenance	\$100.00	\$100.00			
Other Monthly Expenses(explain)	\$400.00	\$0.00			
Haircuts/toiletries/cleaning supplies	\$50.00	\$50.00			
Pet food / supplies	\$25.00	\$25.00			
Total Monthly Expenses	\$1,732.00	\$1,332.00			

CERTIFICATION

I, the undersigned, do hereby certify under penalties of perjury that I have read and understood the foregoing amended monthly family budget and it is true and correct to the extent of my knowledge, information, and belief.

3/25/15
Date


Debtor

Date

Debtor

DRAFT

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SSN: xxx-xx-4044	}	Judge Marian F. Harrison
	}	
Debtor	}	

PROPOSED ORDER GRANTING MOTION TO MODIFY CHAPTER 13 PLAN

It appears to the United States Bankruptcy Court for the Middle District of Tennessee that the Debtor filed a Motion to Modify Chapter 13 plan and notice of said motion has been given pursuant to L.B.R. 9013-1 to all parties in interest. It further appears to the Court that twenty-one (21) days have elapsed since the date of service of the motion and no responses have been forthcoming from any party in interest.

It is therefore ORDERED as follows:

1. The Debtor shall be permitted to modify his Chapter 13 plan due to changes in his budget, marital separation, and employment.
2. The Debtor's Chapter 13 plan payment shall increase to \$1,026.00 bi-weekly, with \$513.00 bi-weekly being deducted from each job.
3. The first payroll deduction shall issue to the following: Vanderbilt
3319 West End Avenue, Suite 450
Nashville, TN 37203
4. A second payroll deduction shall issue to the following: Compass Group North America
Attn: Payroll
2400 Yorkmont Road
Charlotte, NC 28217
5. The dividend to general unsecured creditors shall remain 1% and the Debtor will surrender future tax refunds to the plan.
6. The new base shall be \$133,380.00, increased by future tax refunds.
7. The unsecured pool shall be zero.
8. No other terms of the confirmation order shall be affected by this modification.

IT IS SO ORDERED.

This order was electronically signed and entered as indicated at the top of the first page.

APPROVED FOR ENTRY:

/s/ James A. Flexer

James A. Flexer, BPR #9447

Attorney for Debtor

176 2nd Avenue North, Suite 501

Nashville, TN 37201

(615) 255-2893

CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2015, I furnished a true and correct copy of the foregoing to the following parties in interest:

Henry E. Hildebrand, III
Chapter 13 Trustee
P.O. Box 340019
Nashville, TN 37203-0019

Electronic

Sam Crocker, U.S. Trustee
318 Customs House, 701 Broadway
Nashville, TN 37203

Electronic

Rene Edgardo Coto-Lazo
2635 EDGE O LAKE DR
Nashville, TN 37217

U.S. mail first class

37 notices have been served. I have mailed 35 notices.

/s/ James A. Flexer
James A. Flexer

3:15-bk-00379 | RENE EDGARDO COTO-LAZO

Creditor

AFNI
PO BOX 3097
Bloomington IL 61702

Afni, Inc.
Attention: Bankruptcy
1310 Martin Luther King Dr Bloomington IL 61701

Arrow Financial Services
5996 W Touhy Ave
Niles IL 60714

AUTO MASTERS
3103 NOLENSVILLE ROAD
Nashville TN 37211

AUTOMASTERS
4601 NOLENSVILLE ROAD
Nashville TN 37211

BUFFALOE & ASSOCIATES
201 FOURTH AVE N
RE: LVNV FUNDING/SAM'S CLUB Nashville TN 37219

CARRINGTON MORTGAGE SERVICES
P.O. BOX 54285
Irvine CA 92619

CHRISTIAN F. VISSERS, MD, PC
2400 PATTERSON STREET, STE 102
Nashville TN 37203-6509

Chrysler Financial
PO Box 8065
Royal Oak MI 48068

Credit Management
4200 International Pwy
Carrollton TX 75007

ER Solutions/Convergent Outsourcing, INC
PO Box 9004
Renton WA 98057

Fac/nab
Attn: ABK Unit
PO Box 198988 Nashville TN 37219

Fort Sill National Ban
PO Box 33009
Fort Sill OK 73503

Fox Collection Center
456 Moss Trl
Goodlettsville TN 37072

FRONTLINE ASSET STRATEGIES, LLC
RE: SPRINT NEXTEL
2700 SNELLING AVE NORTH Saint Paul MN 55113

Creditor

GAULT FINANCIAL
6914 Office Park Circle SU 175
Knoxville TN 37909

Gemb/whitehall
Attention: Bankruptcy
PO Box 103106 Roswell GA 30076

Hsbc/rs Ce
700 N Wood Dale Rd
Wood Dale IL 60191

INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
POB 7346 PHILADELPHIA, PA 19101-7346

IRS
MDP 146
801 BROADWAY NASHVILLE, TN 37203

IRS
CENTRALIZED INSOLVENCY OFFICE
PO BOX 7346 PHILADELPHIA, PA 19101-7346

JEFFERSON CAPITAL SYSTEMS
PO BOX 953185
Saint Louis MO 63195

MANN BRACKEN
209 10TH AVE S SUITE 532
RE: LVNV FUNDING/SAM'S CLUB Nashville TN 37203

MONOTRONICS
PO BOX 814530
Dallas TX 75381

Neo Fin /27
Po Box 7216
Philadelphia PA 19101

NCO Financial Systems
PO Box 4907
Trenton NJ 08650

Platinum Cap
1245 S Main St
Grapevine TX 76051

PORTFOLIE RECOVERY ASSOCIATES, LLC
RE:
PO BOX 12914 NORFOLK VA 23541

PREMIER ORTHOPAEDICS & SPORTS MEDICINE
PO BOX 306073
Nashville TN 37230-6073

PYOD
PO BOX 19008
Greenville SC 29602

RADIOLOGY ALLIANCE
C/O FOX COLLECTION CENTER
PO BOX 528 GOODLETTSVILLE, TN 37070

Creditor

Resurgent Capital Service/Sherman Acquis

Attention: Bankruptcy Department
PO Box 10587 Greenville SC 29603

Rushmore Loan Mgmt Ser

Pob 52708
Irvine CA 92619

THOMPSON & BOOTH

RE: GAULT FINANCIAL/US BANK
P.O. Box 196305 Knoxville TN 37939
